

Practitioner's Docket No. 1603/2
Serial No. 10/559,311

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/JP03/07079	04 June 2003 (04.06.03)	04 June 2003 (04.06.03)
International Application No.	International Filing Date	Priority Date Claimed

METHOD OF DIAGNOSING CANCER AND METHOD FOR JUDGING CANCER RISK

Title of Invention
Sakata et al.

Applicant(s)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)
(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date April 28, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV921304611US.

Stacie H. Boswell

Date: April 28, 2006

Stacie H. Boswell
Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

DECLARATION OR OATH

- I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

FEES

- II. Surcharge fees

Surcharge for filing the oath or declaration
later than thirty months from the priority
date pursuant to § 1.495(c):

\$65.00

Total Fees

\$65.00

EXTENSION OF TIME

- III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

- IV. The total fee due is:

Completion fee(s)

\$65.00

TOTAL FEE DUE \$65.00

PAYMENT OF FEES

- V. A check in the amount of \$65.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

A duplicate of this request is attached.

Date: 4-28-06

Reg. No.: 36,058

Tel. No.: 001-919-493-8000

Customer No.: 25297

05/03/2006 GFREY1 00000053 10559311

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Signature of Practitioner

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UNITED STATES OF AMERICA

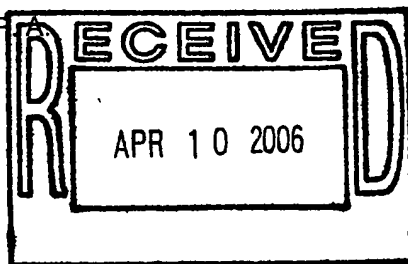


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,311	Koh-Ichi Sakata	1603/2

25297
JENKINS, WILSON & TAYLOR, P.A.
3100 TOWER BLVD
SUITE 1200
DURHAM, NC 27707



INTERNATIONAL APPLICATION NO.	
PCT/JP03/07079	
I.A. FILING DATE	PRIORITY DATE
06/04/2003	

CONFIRMATION NO. 1552
371 FORMALITIES LETTER



OC000000018197580

Date Mailed: 04/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/01/2005
- Copy of the International Search Report filed on 12/01/2005
- Information Disclosure Statements filed on 01/17/2006
- Biochemical Sequence Diskette filed on 12/01/2005
- Oath or Declaration filed on 12/01/2005
- Biochemical Sequence Listing filed on 12/01/2005
- U.S. Basic National Fees filed on 12/01/2005

DOCKET DATES: Initial DDL - 6/15/06
ASSIGNED ATTY: Absolute Per. 11/5/06
FILE NO. JWW/JD
1603/2
DOCKETED BY: CMB
4/11/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,311	PCT/JP03/07079	1603/2

FORM PCT/DO/EO/905 (371 Formalities Notice)